



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,408	06/24/2004	Klaus Hoffmann	2002P04269WOUS	4404

7590 02/03/2009
Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
----------	--------------

2614

MAIL DATE	DELIVERY MODE
-----------	---------------

02/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/500,408	Applicant(s) HOFFMANN, KLAUS	
	Examiner THJUAN K. ADDY	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/24/2004; 11/16/2006; 09/10/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.
2. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.
3. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.
4. The abstract of the disclosure is objected to because it uses a phrase which can be implied. Line 1 of the abstract recites, "**Disclosed** is a method...". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 17-32 and 34-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Wallenius et al. (US Patent Application, Pub. No.: US 2005/0259796 A1).
6. In regards to claims 17, 37, 38, 39, and 41, Wallenius discloses a method, terminal device, and signaling unit for detecting electronic calls (See pg. 4, paragraph [0071]), comprising: sending a call request from a calling terminal device (e.g., subscriber/calling party A) by way of a signaling unit to a called terminal device (e.g., destination/called destination B) (See pg. 4, paragraph [0069]); enabling a data transmission between the terminal devices (See pg. 2, paragraph [0035]); transmitting user data between the calling terminal device and the called terminal device (See Abstract); noting an identifier by the signaling unit for the calling terminal device; storing the identifier in a memory unit; and initiating the storage of the identifier or outputting the identifier on an output unit, wherein the called terminal device is a terminal device in a data packet transmission network, and the signaling unit performs signaling in accordance with a signaling protocol which has been defined for data transmission in a data packet transmission network (e.g., WAP/Internet Network, See Fig. 3) (See pg. 4-

Art Unit: 2614

5, paragraph [0075]; pg. 7, paragraph [0103]; pg. 9, paragraph [0128] – [0129]; and pg. 9, paragraph [0132]).

7. In regards to claim 18, Wallenius discloses the method, wherein a detection request is sent to the signaling unit from the called terminal device during the data transmission or in conjunction with the signaling relating to the data transmission and the signaling unit notes the identifier on the basis of the detection request and that the detection request is transmitted with a message and/or an information element which has been defined for the signaling in the data packet transmission network (See pg. 4, paragraph [0070] – [0071]).

8. In regards to claim 19, Wallenius discloses the method, wherein an identifier is stored for the called terminal device, and upon arrival of the call request, a check is performed by the signaling unit as to whether the identifier of the terminal device to be called has been stored and that the identifier of the calling terminal device is noted when the identifier of the terminal device to be called has been stored (See pg. 4-5, paragraph [0075] and pg. 7, paragraph [0103]).

9. In regards to claim 20, Wallenius discloses the method, wherein the identifier of the calling terminal device is conveyed to the signaling unit in conjunction with the call request (See pg. 4, paragraph [0069]).

10. In regards to claim 21, Wallenius discloses the method, wherein the calling terminal device is a terminal device in a circuit-switched data transmission network (e.g., Mobile Intelligent Network (Mobile IN), See Fig. 3).

11. In regards to claim 22, Wallenius discloses the method, wherein the identifier of

Art Unit: 2614

the calling terminal device is requested as a result of the detection request by the signaling unit by way of a network transition unit to the circuit-switched data transmission network with the aid of an identifier request (See pg. 7-8, paragraph [0114]).

12. In regards to claim 23, Wallenius discloses the method, wherein in order to process the identifier request in the circuit-switched data transmission network a ITU-T standard Q.731 method is used (See pg. 7, paragraph [0103]).

13. In regards to claim 24, Wallenius discloses the method, wherein the identifier request is transmitted in accordance with at least one of the standards Q.1902.1 to Q.1902.6 and/or according to SIP-T (See pg. 4, paragraph [0071]).

14. In regards to claim 25, Wallenius discloses the method, wherein the calling terminal device is a terminal device in a data packet transmission network and that the signaling unit or another signaling unit checks the access authorization of the calling terminal device for the data packet transmission network (See pg. 4, paragraph [0070]).

15. In regards to claim 26, Wallenius discloses the method, wherein the signaling protocol is the SIP protocol or the ITU-T H.225 protocol or another signaling protocol that is suitable for signaling between the terminal device and the signaling unit (See pg. 4, paragraph [0071]).

16. In regards to claim 27, Wallenius discloses the method, wherein the detection request is transmitted in an INFO message using the INFO method according to RFC 2976, and that a header section of the INFO message or a body section of the INFO message contains an information element which serves to uniquely identify the

Art Unit: 2614

detection request (See pg. 2, paragraph [0035] – [0036]).

17. In regards to claim 28, Wallenius discloses the method, wherein the detection request is transmitted in a message using a method in accordance with an RFC defined for the detection of calls or according to an extended H.225 protocol or according to another signaling protocol between the terminal device and the signaling unit (See pg. 2, paragraph [0035] – [0036]).

18. In regards to claim 29, Wallenius discloses the method, wherein the message contains no additional information elements for identifying the detection request (See pg. 2, paragraph [0040]).

19. In regards to claim 30, Wallenius discloses the method, wherein the message contains in its header or in its body an information element which uniquely identifies the detection request (See pg. 3, paragraph [0055]).

20. In regards to claim 31, Wallenius discloses the method, wherein in addition to the identifier of the calling terminal device the identifier of the called terminal device is noted (See pg. 9, paragraph [0129]).

21. In regards to claim 32, Wallenius discloses the method, wherein in the case of a call diversion the identifiers of all terminal devices involved in the call diversion are noted (See pg. 9, paragraph [0129]).

22. In regards to claim 34, Wallenius discloses the method, wherein the time is noted (See pg. 7, paragraph [0109]).

23. In regards to claim 35, Wallenius discloses the method, wherein at least one identifier for the signaling units involved in the call processing is noted (See pg. 9,

Art Unit: 2614

paragraph [0129]).

24. In regards to claim 36, Wallenius discloses the method, wherein the identifiers that are relevant to the transmission of the user data by way of the data packet transmission network are stored (See pg. 4-5, paragraph [0075] and pg. 7, paragraph [0103]).

25. In regards to claim 40, Wallenius discloses the signaling unit, wherein the control unit carries out signaling in accordance with the signaling protocol (See pg. 4, paragraph [0069]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wallenius et al. (US Patent Application, Pub. No.: US 2005/0259796 A1).

27. In regards to claim 33, Wallenius discloses all of claim 33 limitations, except the method, wherein the date is noted. Wallenius, however, does disclose the method, wherein the time is noted (See pg. 7, paragraph [0109]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate this limitation within the method and system, as another way of providing information within the message, which pertains to the call request.

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Emerson, III (US Patent Application, Pub. No.: US 2003/0043974 A1) teaches a stored profile system for storing and exchanging user communications profiles to integrate the Internet with the Public Switched Telephone Network.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

31. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/500,408

Page 9

Art Unit: 2614

/Thjuan K. Addy/

Primary Examiner, Art Unit 2614